

United States Courts
Southern District of Texas
ENTERED

DEC 07 2006

Michael N. Milby, Clerk of Court

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: §
§
AMPRO ENERGY, L.P. § CASE NO. 06-34291-H3-11
§ (Chapter 11)
DEBTOR §

AGREED ORDER

[This Order Pertains To Docket # 25, 27 and 30]

On December 5, 2006, appearing by and through their counsel of record, Stephen Brownell, TMS Energy Services, TXU Portfolio Management Company LP, the Debtor, and the U.S. Trustee announced to the Court that agreements have been reached regarding various disputed matters. The Court finds that the terms of such agreements are in the best interests of the estate and the creditors and, therefore, makes the following orders:

IT IS ORDERED that the Motion to Dismiss Case filed by Stephen Brownell on 10/3/06 (Docket #25) is hereby dismissed without prejudice;

IT IS FURTHER ORDERED that the Motion to Abstain filed by Stephen Brownell on 10/3/06 (Docket #27) is hereby dismissed without prejudice;

IT IS FURTHER ORDERED that the First Motion to Dismiss Case filed by TMS Energy Services on 10/4/06 (Docket #30) is hereby ~~dismissed~~ ^{withdrawn} without prejudice; ZE

IT IS FURTHER ORDERED that Adversary No. 06-03554 and Adversary No. 06-03594 shall remain on this Court's docket and Stephen Brownell and TMS Energy Services ~~shall both~~ ^{are hereby withdrawn} ~~withdraw their~~ Motions for Remand ~~within 10 days from the date of entry of this order;~~ ^{but} # ZE

IT IS FURTHER ORDERED that the debtor will file a plan and a disclosure statement within

30 days from the date of entry of this order;

IT IS FURTHER ORDERED that pursuant to 11 U.S.C. § 1104 a chapter 11 trustee shall be appointed, and that the U.S. Trustee shall nominate a trustee to serve as the chapter 11 trustee in this case, ~~within 30 days from the date of entry of this order; and~~ *and* *20*

SIGNED *Dec 7*, 2006.

[Signature]

Letitia Z. Clark
United States Bankruptcy Judge

AGREED AND ENTRY REQUESTED:

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By: *[Signature]*

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as Plaintiff in Adversary No. 06-03554

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